

ATTORNEYS FOR FREEDOM LAW FIRM

3185 South Price Road
Chandler, Arizona 85248
(480) 755-7110
Fax (480) 857-0150

Marc J. Victor, Esq. – SBN 016064

Marc@AttorneysForFreedom.com

Andrew C. Marcantel, Esq. – SBN 031809

Andy@AttorneysForFreedom.com

Attorneys For Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Samuel Rappylee Bateman, et. al.

Defendant.

CR22-08092-PCT-DGC

**JOINT MOTION FOR COMPLEX
DESIGNATION**

Pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii) and Local Rule 16.2, the parties jointly move to designate this case as “complex,” and request the Court schedule a Status Conference in the afternoon of March 7 or 9, 2023, to address pretrial case management issues including a schedule for discovery, pre-trial motions, and a firm trial setting. A proposed order is being submitted with this motion.

Defendant Bateman was charged by Indictment on September 6, 2022, with Destruction of Records in an Official Proceeding and Aid and Abet, Tampering with an Official Proceeding, and Destruction of Records in a Federal Investigation and

1 Aid and Abet. On December 14, 2022, three additional defendants were added in a
2 Superseding Indictment, charging all defendants with an additional count of
3 Tampering with an Official Proceeding and Aid and Abet, Conspiracy to Tamper
4 with an Official Proceeding, and Kidnapping and Aid and Abet.
5

6 A complex designation is warranted for several reasons. There are four co-
7 defendants in this case. Discovery is voluminous and includes hours of video visits
8 and calls from Mr. Bateman to others. Moreover, this case is part of a larger
9 investigation of Mr. Bateman (and potentially others) which began in 2020.
10 Additional discovery and another Superseding Indictment are anticipated. More co-
11 defendants and charges are also anticipated.
12
13

14 Additional time is needed to give the parties sufficient time to review the
15 discovery, prepare any pretrial motions and prepare for trial. Under such
16 circumstances, it would be unreasonable to expect adequate preparation for pretrial
17 proceedings or for the trial itself within the time limits established by 18 U.S.C.
18 § 3161.
19
20

21 The prosecutor is joint in the request to designate this case complex and hold
22 a Status Conference. Counsel for co-defendants have no objections to this request.
23

24 Excludable delay under 18 U.S.C. § 3161(h)(7)(A) and § 3161(h)(7)(B)(ii)
25 will occur as a result of this motion.
26

27 ///
28

1
2 RESPECTFULLY SUBMITTED this 2nd day of February 2023.

3 ATTORNEYS FOR FREEDOM LAW FIRM
4

5 /s/ Dimitra Sampson
6 Dimitra Sampson, Esq.
Assistant U.S. Attorney

/s/ Marc J. Victor
Marc J. Victor, Esq.
Attorney for Defendant

7
8 **CERTIFICATE OF SERVICE**

9 I hereby certify that on February 2, 2023, I electronically transmitted the
10 attached document to the Clerk's Office using the CM/ECF System for filing and
transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

11 Dimitra Sampson, Esq.
Assistant U.S. Attorney

12 Cindy Castillo, Esq.
13 Counsel for Naomi Bistline

14 Sandra Kay Hamilton, Esq.
15 Counsel for Donnae Barlow

16 Stephen Wallin, Esq.
Counsel for Moretta Johnson

17 Emailed to chambers:

18 The Honorable David G. Campbell
19 Campbell_chambers@azd.uscourts.gov

20
21 By: /s/ Braeden Victor
22
23
24
25
26
27
28